

REMARKS

This Amendment is being filed in response to the Office Action mailed March 18, 2009, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the following remarks and arguments are respectfully requested.

Claims 1-13 are pending in the application, where claim 1 and 9 are independent.

In the Office Action, claims 1-13 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,806,988 (Onuki) in view of U.S. Patent No. 6,856,444 (Ingalls). It is respectfully submitted that claims 1-13 are patentable Onuki and Ingalls for at least the following reasons.

As correctly noted on page 3 of the Office Action, Onuki does not disclose or suggest any of the following features of independent claim 1, which are similarly included in independent claim 9, namely (illustrative emphasis provided):

means for monitoring the current supplied by the power source over time and deriving the charge supplied;

means (66) for monitoring the voltage on one (16) of the electrodes of the electrode arrangement; and

means (62) for deriving from a desired lens power a value for controlling the total charge to be supplied to the electrode arrangement (14,16).

It is alleged that Ingalls discloses (in FIG 4, elements 13 and 14) monitoring the current and voltage supplied to an optical device. At the outset, it is respectfully submitted that Ingalls is directed to a display, and is completely silent about any controllable lens, while Onuki is directed to an optical apparatus or lens having a changeable focal length. Accordingly, combining the Ingalls display with the Onuki lens is not proper, as there is no motivation or suggestion to do so.

Assuming, arguendo, that the combination of Onuki and Ingalls is proper, such a combination still does not disclose or suggest the present invention as recited in independent claims 1 and 9. In particular, as clearly shown in FIG 4 of Ingalls, the current and voltage are "of the driving signals." (Ingalls, column 3, line 57) Further, this current and voltage of the driving signals are NOT monitored to focus any lens, but to protect the Ingalls display against overheating. Accordingly, the combination of Onuki and Ingalls merely discloses a controllable lens and a display which is protected against overheating by monitoring the voltage and current

supplied to the display. There are many ways to control a lens and many reasons to monitor voltage and current. The particular features recited in independent claims 1 and 9 are nowhere disclosed or suggested in Onuki, Ingalls, and combination thereof.

In particular, Onuki, Ingalls, and combination thereof, do not disclose or suggest the present invention as recited in independent claim 1, and similarly recited in independent claim 6 which, amongst other patentable elements, recites (illustrative emphasis provided):

means for monitoring the current supplied by the power source over time and deriving the charge supplied;

means (66) for monitoring the voltage on one (16) of the electrodes of the electrode arrangement; and

means (62) for deriving from a desired lens power a value for controlling the total charge to be supplied to the electrode arrangement (14,16).

Deriving from a desired lens power a value for controlling the total charge to be supplied to the electrode arrangement is nowhere disclosed or suggested in Onuki and Ingalls, alone or in combination. Accordingly, it is respectfully submitted that independent claims 1 and 9 are allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted

that claims 2-8 and 10-13 should also be allowed at least based on their dependence from independent claims 1 and 9, as well as their individually patentable elements. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

For example, column 8, lines 63-67 of Onuki merely discloses that a rectangular voltage waveform, as shown in FIG 8D, is applied between transparent electrode 103 and a sticklike electrode 125. This in no way discloses or suggest deriving a ratio of the charge supplied to the voltage, as recited in claims 2 and 10. Further, providing an effective electrode height as input into a look-up-table, and providing as output the ratio of the charge supplied to the voltage, as recited in claims 5 and 13, are nowhere disclosed or suggested in Onuki. FIG 10 of Onuki merely discloses a look-up table for reading out a desired duty ratio (S123-S124) for the output voltage from the power supply.


Further, on pages 4-5 of the Office Action, it is alleged that an annular electrode as recited in claim 7 is well known, but no references are cited. Applicants request that the Examiner provide prior art references clearly illustrating that it is well known to

provide "the side wall electrode (16) comprises an annular electrode which surrounds the chamber," as recited in claim 7.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By 
Dicran Halajian, Reg. 39,703
Attorney for Applicant(s)
June 18, 2009

THORNE & HALAJIAN, LLP
Applied Technology Center
111 West Main Street
Bay Shore, NY 11706
Tel: (631) 665-5139
Fax: (631) 665-5101